

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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PRINCE OF SCOTS, LLC,

Plaintiff,

-against-

ORDER TO SHOW CAUSE
15 CV 1641 (LDH) (CLP)

THE JONES GROUP, INC. *et al.*,

Defendants.
----- X

POLLAK, United States Magistrate Judge:

Plaintiff's counsel, Jeffrey M. Haber, Esq. and the firm of Freiburger Haber LLP, have filed papers with the Court seeking leave to withdraw as counsel of record for plaintiff Prince of Scots, LLC, and have also sought leave to file their motion and supporting papers under seal. (See Mot. for Leave to File Under Seal, Jan. 16, 2018, ECF No. 76; Mot. to Withdraw as Counsel, Jan. 16, 2018, ECF No. 76-1).

The court has reviewed the papers submitted by plaintiff's counsel and concludes that it is necessary to allow the papers to be filed under seal to preserve the confidentiality of the attorney-client relationship and that there exists good cause to allow the documents to be filed under seal. See, e.g., Team Obsolete Ltd. A.H.R.M.A. Ltd., 464 F. Supp. 2d 164, 165-66 (E.D.N.Y. 2006). The motion to file under seal is granted, and plaintiff's counsel shall file the motion under seal as a separate document in accordance with the EDNY CM/ECF Guidelines. Plaintiff's counsel is also directed to file a copy of the two-page Notice of Motion from which counsel shall redact the second sentence of paragraph 3.

Based on the Declaration of Jeffrey M. Haber, Esq., plaintiff Prince of Scots, LLC is **ORDERED TO SHOW CAUSE** before this Court on **FEBRUARY 9, 2018 at 12:30 p.m.** in

Courtroom 13-B South, 225 Cadman Plaza East, Brooklyn, New York 11201 why the Court should not enter an Order permitting Jeffrey M. Haber, Esq. and Freiburger Haber LLP to withdraw as counsel of record for the plaintiff in this matter. A representative of plaintiff Prince of Scots LLC is Ordered to appear at the hearing in person. Defendants' counsel may appear at the hearing by telephone.

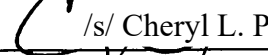
Plaintiff is encouraged to attempt to secure new counsel in advance of the hearing, for it is well established that "a corporation may not appear *pro se* or be represented by a non-lawyer" in federal court. See, e.g., Lawrence v. S.E.C., 384 F. App'x 44, 45 (2d Cir. 2010). **If the Court grants the motion to withdraw, plaintiff will be required to secure new counsel promptly, and failure to do so will result in a recommendation that the action be dismissed for failure to prosecute.**

Mr. Haber is Ordered to serve a copy of this Order, along with all of the papers submitted in connection with the motion to withdraw, on Prince of Scots, LLC and to file proof of such service on ECF at least five days before the hearing. See L. Civ. R. 1.4. Mr. Haber is excused from filing the sealed papers on all other parties. See id.

The Clerk is directed to send copies of this Order to the parties either electronically through the Electronic Case Filing (ECF) system or by mail.

SO ORDERED.

Dated: Brooklyn, New York
January 17, 2018



/s/ Cheryl L. Pollak
Cheryl L. Pollak
United States Magistrate Judge
Eastern District of New York